

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/754,064	MELTZ ET AL.	
	Examiner	Art Unit	
	Robert R. Raevis	2856	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-8-04.
2. ☒ The allowed claim(s) is/are 1-92.
3. ☒ The drawings filed on 08 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as-"replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>3/11/04, 5/11/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                       | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

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***Allowable Subject Matter***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Grosso et al teach measuring pressure pulses 11,55 created by element 56 within a string by a set of sensors 46,60; but the sensors are not utilized in determine a velocity as called for in Applicant's claims 1, 14.

Owens teaches use of a pressure generator to transmit a pressure pulse through the fluid in a string 12, and use of a single pressure transducer to measure both pressure pulse and reflection to measure velocity of the pulse in the fluid; but the single sensor does not suggest a "set of sensors" (italics added, Applicant' claim 1), or suggest determining the velocities of both the transmitted pressure and reflected pulse *of that same* transmitted pressure (Applicant's claim 14).

As to claim 1, note was made of the combination of "utilized in determining a velocity of the pressure pulse transmitted through the fluid" (italics added, last two lines) with remaining claim limitations. The term "utilized" (line 2 from last) suggests that the sensors *are used* to determine velocity, and thus suggests a structural limitation. This is in contrast with a phrase of intended for use (e.g. – for use --), which suggests that something may or may not) be used for a particular purpose.

As to claim 14, note was made of the combination of the combination of the last two lines of the claim with remaining claim limitations. Claim 14 is clear in that the "reflected pressure pulse" (last line) is the reflection of "the transmitted pressure pulse" (line 2 from last), as the phrase "*the* transmitted pressure pulse" (italics added, line 2

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from last) refers back to the transmitted ("transmitting" of line 3) "pressure pulse" (line 3), and "the reflected pressure pulse" (last line) refers back to the term "reflect" (of line 4). The prior art does not suggest determining velocities of a transmitted pressure pulse and the reflected pressure pulse of that same transmitted pressure pulse in the claimed environment of claim 14.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert R. Raevis whose telephone number is 571-272-2204. The examiner can normally be reached on Monday to Friday from 6:30am to 4pm. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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